

REMARKS

Claims 1, 5, and 8-13 are pending in this application. Claims 11 and 12 have been amended so to depend from allowable claim 5. Claim 13 has been amended in order to overcome the issue under 35 U.S.C. § 112 discussed below.

Submission of Priority Documents

Submitted with this Reply is a Letter which provides the certified copies of the Priority Documents corresponding to this application. It is requested that the Patent Examiner acknowledge receipt of these Priority Documents in the next communication.

Removal of Disclosure Objection Issue

The Office Action of July 24, 2003 objects to the references to Figures 9 and 10 in Table 1 at page 11 of the specification, stating that these reference should be changed to Figures "8" and "9". The specification has been amended in accordance with these suggestions stated in the Office Action such that this objection has been removed.

Removal of Issue under 35 U.S.C. § 112

Claim 13 has been rejected under 35 U.S.C. § 112 because of the phrase "one half cycle" at line 4 from the bottom of the claim.

The Office Action states that page 7 of the specification requires that this phrase be changed to --one and a half cycle--.

Claim 13 has been amended as suggested in the Office Action. It is submitted that claim 13 complies with all applicable requirements under 35 U.S.C. § 112 such that the above-noted rejection should be withdrawn.

Allowable Claims

Claims 5 and 8-10 have been indicated as being allowable. Claim 13 was rejected under 35 U.S.C. § 112, and for the reasons stated above has also been placed into allowable form. Claims 11 and 12 have been amended so as to both depend from allowable claim 5. Therefore, all of the presently pending claims 5 and 8-13 have been placed into allowable condition such that the present application should not pass to allowance.

Removal of Issues under 35 U.S.C. § 103(a)

Claims 1, 11, 14 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuda '550 (EP 1 010 550 A2).

Claim 12 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuda '550 in view of JP '505 (Japanese Patent Application 2-182505) or Rohde '384 (USP 4,765,384).

All of the above-noted rejections have been removed, since claims 1, 14 and 15 have been canceled, and both of claims 11 and

12 amended so as to depend from allowed claim 5. Consequently, it is requested that these rejections be withdrawn.

It is submitted for the reasons stated above that all of the presently pending claims of this application have been placed into condition for allowance.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/899,097

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Andrew D. Meikle, #32,868

ADM/csm
0229-0652P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)